88-1802

Supreme Court U.S.
FILED
APR 5 1989
JOSEPH F. SPANIOL, JR.
CLERK

No. 89-

IN THE

SUPREME COURT OF THE UNITED STATES

March 24, 1989

CHI-MING CHOW,

Petitioner,

v.

MICHIGAN SUPREME COURT,

Respondent.

PETITION FOR WRIT OF CERTIORARI

TO THE MICHIGAN SUPREME COURT

Chi-Ming Chow
Proceeding Pro Se.
P.O. box 903
Novi, Michigan 48050 (313)
471-7650 or
(313) 471-7619

QUESTIONS PRESENTED

1. Is it true that we have a Fair Housing Law in this Country?

2. If an attorney accepts his client's payment and signs a retainer for a Fair Housing Case, should he inform his client about the immediate eviction motioned by the landlord and Ordered by the Court? If the attorney intentionally failed to do so, is it misconduct?

3 If the law gives the tenant 10 days to appeal for such immediate eviction and the attorney intentionally missed the appeal date, is it misconduct?

4. If the tenant is evicted without cause and without an appeal, is it the attorney's fault who was hired by the tenant to protect him from being evicted?

5. Is it true that no government official is absolutely immune from law if the official violates the law intentionally?

6. The Attorney Grievance Commission is to protect citizens from being victimized by their attorneys. If it protects the wrongful

attorney instead of to condemn him, is it violating its own principle and also violating the equal protection of the laws?

7. If the Attorney Grievance Commission considers that an attorney can close civil rights cases without getting his clients' consent and also keep no record of the case, doesn't it discriminate against the civil rights law?

8. If the Michigan Supreme Court agrees with the Michigan Attorney Grievance Commission regarding the above mentioned facts, doesn't it also violate the Equal Protection of Laws and discriminate against Civil Rights?

9. Does Article XIV of our Amendment of the United States Constitution offer Equal Protection of the Law for all citizens?

10. Does the Supreme Court of the United States have the authority and power to supervise and discipline all the U.S. citizens and all the organizations of the United States?

TABLE OF CONTENTS

QUESTIONS PRESENTED.....(i)

TABLE OF AUTHORITIES.....(iv)

CONSTITUTIONAL PROVISION INVOLVED 1

STATEMENT OF FACTS.....1

CONCLUSION.....6

TABLE OF AUTHORITIES

Amendments to the United States Constitution,

Atricle XIV.....1

No. 89-

IN THE

SUPREME COURT OF THE UNITED STATES

March 24, 1989

CHI-MING CHOW,

Petitioner,

v.

MICHIGAN SUPREME COURT,

Respondent.

PETITION FOR WRIT OF CERTIORARI

TO THE MICHIGAN SUPREME COURT

Petitioner, Chi-Ming Chow, respectfully requests that a Writ of Certiorari be issued to review the Judgment and Order of the Michigan Supreme Court, sent to me on February 28, 1989.

CONSTITUTIONAL PROVISION INVOLVED

Article XIV, Section 1 of our Amendments to the United States Constitution states:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. Nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to equal protection of the laws"

STATEMENT OF FACTS

In order to make my statement short and concise, all other essential documents of this case are arranged in attached exhibits. The following statement contains facts of my Petition:

1. I was a tenant of Chateau Mobile Home Park in Novi, Michigan in 1986. Although I was continuously harassed by the park manager because of racial prejudice, I insisted on staying there because of its location and my

confidence in our law. In January of 1986, Chateau sent me an eviction notice without giving any reason or cause. So I hired and retained attorney, James E. Linn to file a complaint at the 52nd District Court, for violation of the Fair Housing Law and my Civil Rights.

2. On June 6, 1986, the court sent Attorney Linn a Judgment which approved Chateau's motion for immediate possession. Although I had given Attorney Linn my mailing address, home address, home phone number and two work phone numbers (one where messages are taken for me), Attorney Linn intentionally failed to inform me of such immediate eviction.

On June 13, 1986 I called Attorney Linn as I usually did to find out if there was any news about this case, he then told me about the immediate eviction. So I told him to appeal immediately. Next week Attorney Linn told me that it was too late to appeal because the time limit for such an appeal was ten (10) days, and he had thought is was twenty-one (21) days and also thought he had plenty of time to appeal.

I then had to pay Mr. Linn to correct his mistake at the Oakland County Circuit Court. I went to the court twice with him and he was unable to get the appeal started. (I found out later that it was unnecessary for me to go to the court with him for such an occasion.) Finally the judge set the appeal date to correct Attorney Linn's mistake and the date was after the eviction date. It would make no sense for me to continue to pay Attorney Linn for his useless appeal. I was forced to move out from the park which was open to the public, without a reason or cause. The cost of the attorney fee and the moving cost of the mobile home was over $2,000.00. My suffering from harassment, humiliation and distress was unmeasurable. (For detail, please see Exhibit 1.)

3. After the eviction, I started to have doubts about Attorney Linns' sincerity and willingness to handle my case. So I started to review my other cases filed by Mr. Linn. Please allow me to state these cases briefly as follows:

In 1980, I was discriminated against in an Oakland Community College swimming pool incident. It eventually violated my employment privilege, Faculty Master Agreement and civil rights. However, I was unable to get any help or assistance from the following organizations:

1. Oakland Community College Faculty Association.
2. Michigan Department of Civil Rights.
3. Equal Employment Opportunity Commission.

In 1983, I hired and retained Attorney Linn to file Complaints against these organizations. After hiring him, every time I asked him to find out if there was any news about these cases, he would make me believe that these cases were waiting for trial. After I was forced to move out from Chateau without reason or cause I started to have doubts about Attorney Linns' honesty and sincerity, I went to his office and could not find any current records on any of these cases in his file. In 1987, I hired and retained Attorney Ronald A. Steinberg to find out the status of my cases in Attorney Linns' file. At the same time, I also

filed a Complaint against Attorney Linn with the Michigan Attorney Grievance Commission. Attorney Steinberg later wrote the Michigan Attorney Grievance Commission that he was handicapped in being able to find out the status of my cases from Mr. Linn. Mr. Linn simply did not keep any court records for these cases in his file. He fooled me for more than three years. (Please see Exhibit 2.)

4. With all the above-mentioned facts, on May 31, 1988 the Michigan Attorney Grievance Commission closed my case because there was insufficient evidence of misconduct of the attorney. On June 4, 1988 I filed my motion for reconsideration. It was denied on June 8, 1988. (Please see Exhibit 3.)

5. On June 20, 1988, I filed my Complaint of this case with the Michigan Supreme Court. Both Attorney Linn and the Michigan Attorney Grievance Commission responded and admitted that Attorney Linn failed to inform me of the immediate eviction and missed my right to appeal for such eviction without cause. They then stated that Attorney Linn closed my other

cases because they were civil rights cases. On November 30, 1988 the Michigan Supreme Court dismissed my case. On December 3, 1988 I filed my motion for reconsideration. On February 28, 1989 the Michigan Supreme court denied my motion for reconsideration. (Please see Exhibit 4.)

CONCLUSION

1. Both Attorney Linn and the Michigan Attorney Grievance Commission have admitted that Attorney Linn failed to inform me of the "Immediate Eviction" (without cause). Mr. Linn also intentionally missed the time period for my appeal. I have suffered from financial loss, physical and emotional distress because of this wrongful eviction without an appeal. If these facts are not evidences of misconduct of intentional negligence, then the Court has set a precedent for all other attorneys. They can do the same thing to their clients without be condemned or disciplined.

2. Attorney Linn accepted my fees, signed retainers to accept my civil rights cases. He

then closed them without informing me or getting my consent. I had to hire and retain Attorney Steinberg to find out that Attorney Linn did not even have any records of these cases in his file. If these facts are not evidences of misconduct and breach of contract and legal duty, then again the Court has set a precedent for all other attorneys. They can also do the same thing to their clients without being condemned or disciplined.

3. Civil Rights law is a national law. It makes this country beautiful. Anyone who allows an attorney to close a civil rights case without informing his/her client is actually discriminating against the civil rights law.

4. Our National Constitution, Article XIV, assures equal justice and equal protection of the laws for all citizens. Therefore, I sincerely hope and pray that our Supreme Court of the United States will confirm that my complaints are true, so tht justice can be

done.

Respectfully Submitted:

CHI-MING CHOW (MR.)
P.O. Box 903
Novi, MI 48050

Dated: April 21, 1989

APPENDIX

A 1

State Bar of Michigan
Attorney Grievance Commission
Suite 600 Marquette Building
243 W. Congress
Detroit, MI 48226

Chi-Ming Chow
P.O. Box 903
Novi, MI 48050

January 23, 1987

Dear Grievance Commission:

I am submitting my grievance to your office because I can not get information from my attorney, Mr. James Linn, 21333 Haggerty, Suite 300, Novi, Michigan 48050. I now state my grievance as follows:

Case 1: Before August, 1986 I live in Chateau Mobile Home Park in Novi. Although I was continuously harassed by the landlord, I insisted to stay there because of its location and my confidence in law. In January, 1986, Chateau began my eviction procedures without giving any reason. In February, 1986, I retained Mr. Linn to file a complaint at 52nd District Court for Chateaus' violation of the Fair Housing law and my civil rights. On June 6, 1986, in the eviction proceedings, Court sent Mr. Linn a judgment which approved Chateaus' motion for immediate possession. Mr. Linn never informed me of such judgment. On

June 13, 1986 (Friday), I called Mr. Linn as I did before to find out if there was any news for my case, he then told me about the judgment. At the time I had no choice other than asking him to appeal immediately. Next week, Mr. Linn told me that it was too late to appeal because the time limit for such appeal was 10 days when he thought it was 21 days and he had plenty of time to appeal. He admitted that it was his mistake. In order to avoid being evicted forcibly, I had to appeal for his legal error first. However, in his appeal statement, he stated that he sent me a copy of such judgment on the same day he received it although I did not receive such copy. It was clear that he did not tell the truth because:

1. He already told me that it was his mistake not to inform me earlier.

2. Even suppose that he indeed tried to inform me of such emergency by mail, shouldn't he send such letter by certified mail to assure its arrival?

3. I have been Mr. Linns' client for more that 4 years. He knew well about my mailing

address. Even suppose that Mr. Linn used a wrong box number, according to my experience, the Post Office still could deliver it to me because I rented the same mail box for more than 13 years and its' employees knew my name well. Again suppose that the mail was not delivered because of wrong box number, it should return to Mr. Linn within 10 days since his office and mail box were in the same City, Novi.

4. Mr. Linn had my home phone number two work phone number (one can take a message for me). Shouldn't he call me to inform me of such urgent message? Shouldn't he call me to find out if I received his letter or why I did not answer him within the 10 day time limit so that he had time to appeal?

5. Mr. Linn lived in the same Park and was my neighbor for more than 4 years. He knew exactly where I lived. Therefore, even suppose that mail was lost and all phones were dead, he could easily come to my home and inform me of such an emergency. Thus, if Mr. Linn intended to inform me of such immediate possession and

eviction, there was no way he could miss it. Since this appeal for his legal was a new case, I had to pay him new fees. I went to 52nd District Court once with him to pay the bond fee. I went to Oakland County Circuit Court twice with him for the appeal hearing. However both times, Judge Andrews dismissed his appeal immediately in court because of Mr. Linns' legal error or procedure. It made me feel as if Mr. Linn actually helped the other side. During those few weeks my attorney fee paid to Mr. Linn was already over $1,000.00. Finally, the evicting date for my mobile home was ahead of his appeal date. It would make no sense for me to let him continue his appeal. The situation was so bad that I had no chance to appeal before the eviction. A forcible eviction was imminent. All possible humiliation and embarrassment seemed unavoidable. Fortunately, I was able to find a place for my mobile home to stay in Ypsilanti only three days before the forcible eviction day. The cost for moving and resetting my mobile home was over $1,200.00. All anxiety,

frustration and distress during those past months were unmeasurable. Case 2. After the eviction, I started to doubt Mr. Linns' sincerity and willingness to handle my case. So I started to review my other cases filed by Mr. Linn. I would now state these cases briefly as follows: In 1980, I was involved in an Oakland Community College swimming pool incident. It eventually violated my employment privilege, Faculty Master Agreement and civil rights. However, I was unable to get any help from the following organizations which were supposed to protect me by law:

1. Oakland Community College Faculty Association

2. Michigan Department of Civil Rights.

3. Equal Employment Opportunity Commission.

Finally, I had to spend my own money to hire my own attorney to fight for justice. In 1983, I won the case from the Circuit Court. Monetary damage was paid to me and justice was done. After this case, I found that although our law assures equal justice and protection for all citizens, it really depends on who carries it

out. In order to get further protection for our law, I decided to file my complaints against OCCFA, MDCR and EEOC. For some reasons, I retained a new attorney, Mr. Linn to file such complaints. (At that time, Mr. Linn was my attorney for Chateau matters and he was also my neighbor at Chateau.) Mr. Linn accepted all three cases. (This is why I delayed my grievance because I am so deeply dependant on him.) In June, 1985 I was called to Lansing for my MDCR case. When he came back, he told me that the case was dismissed by Judge Brown. Judge Brown stated that he dismissed my case because after MDCRs' dismissal of my case, I should continue my case at the Circuit Court, not at the EEOC. However, the fact that I was told by MDCR with written document that it was the law that I should continue my case at EEOC because my case was also related to my employment. It was clear that Mr. Linn failed to understand the case and also failed to appeal Judge Browns' decision promptly at the court. After knowing Judge Browns' dismissal of my MDCR case, I

immediately asked Mr. Linn to appeal. Mr. Linn filed an appeal at Michigan State Court of Appeals on July 18, 1985 and an appeal to Judge Brown on July 22, 1985. However, Mr. Linn never sent me a copy of his appeal statement to the Court of Appeals. So I repeatedly asked him for such copy. Each time he would orally promise me to such copy. Yet he never fulfilled his promise. After being evicted from Chateau, I began to send him certified letters. (Please see attached copies.) I could not get any response from him. So I again called him on December 13, 1986, he again promised me and said that he would send my requested information to me next week. Until today, I still have not received any reply from Mr. Linn. Therefore, I think that it is time for me to submit my grievance to your office so that I may get some result.

Yours very Truly,

Chi-Ming Chow

June 9, 1987

Attorney Grievance Commission
Ste. 256, Marquette Bldg.
243 W. Congress
Detroit, Michigan 48226

Attention: Louis Rosenzweig

Counsel to Grievance Administrator

RE: Your File: 323/87

Chi-Ming Chow as to James E. Linn, an Attorney

Dear Mr. Rosenzweig:

In response to your June 1, 1987 letter, please be advised as follows:

After much delay, I obtained what is purported to be the contents of Mr. Chi-Ming Chow's file from Mr. Linn. There was included a Substitution of Attorney and Consent, signed by Mr. Linn.

Before signing the Substitution, I met with Mr. Chi-Ming Chow, in order to review the file, to place it in order and to determine its completeness.

Mr. Chi-Ming Chow and I were unable to determine the status of several matters. I

directed a letter to Mr. Linn, asking him, within seven days, to consult with me by phone or in person in order to decipher the status of the file. Mr. Linn's "house-keeping" of the file made it impossible for me to determine its status. The time period has almost elapsed, and I have yet to hear from Mr. Linn. I am unable to determine if there is actual wrong doing, or if there is merely failure of communication between Mr. Linn and Mr. Chi-Ming Chow. Without Mr. Linn's assistance in providing me with the actual status of

the case, I am handicapped in being unable to decide whether or not I should substitute in; that same information would undoubtedly provide you with the answers you are seeking.

Very truly yours,

Ronald A. Steinberg

RAS/cb

cc: Chi-Ming Chow

Ms. Martha D. Moore
Associate Counsel
Michigan Attny. Grievance Comm.
Suite 256, Marquette Building
243 West Congress
Detroit, Michigan 48226

Chi-Ming Chow
P.O. Box 903
Novi, MI 48050
October 14,1987

Re: File no. 323/87

Dear Associate Counsel Moore:

Thank you for your letter of October 7, 1987 regarding File no. 323/87 case.

Enclosed please find the following items:

1. Contingent Fee Contract for OCCFA, MDCR, EEOC and Chateau cases. Case names and statements are attached to each contract respectively. (Most files had no case number or file number. However, all case statements were signed by Mr. Linn and myself.)

2. Copies of check payments to Mr. Linn for above-mentioned cases. Total amount: $2695.00. (Other check copies which have to be ordered from the bank are not attached because of the time limit for this reply. These checks are valued at a few hundred dollars.) 3. Copies of my correspondence with Mr. Linn. (most copies are my own letters to Mr. Linn. To my memory,

Mr. Linn never answered these letters except his recent certified letter dated September 18, 1987. Please also refer to my copies sent to your office by previous mails regarding File no. 323/87 case.) Your review and justice will be greatly appreciated.

Yours very truly,

Chi-Ming Chow

Certified Mail No. P 656 523 542

Supreme Court Clerk
P.O. Box 30052
Lansing, Michigan 48909

Chi-Ming Chow (Mr.)
P.O. Box 903
Novi, MI 48050

Dear Supreme Court Clerk: June 20, 1988

Enclosed please find a notarized affidavit of the original and seven copies of my complaint regarding the decision made by Michigan Attorney Grievance Commission for my case, File No. 323/87. A $100.00 check payable to the State of Michigan to cover the filing fee is also enclosed. I now state my complaint as follows: Michigan Attorney Grievance Commission has made the following conclusions for my case: (Please also see attached copies.)

2. The attorney admits that he failed to file an appeal for my civil right case. In fact, the attorney closed two of my civil right cases without even notifying me. When I hired another attorney, Mr. Ronald A. Steinberg, to review my cases in Mr. Linn's file, he could not find any records in Mr. Linn's file to show when and how these cases were closed. (Please see attached copies.) However, Michigan Attorney Grievance Commission still closed my

case for the following reasons which are not agreeable with facts:

1. The Attorney and the Complainant agreed not to pursue a delayed application for appeal. My comment: This is simply not true. I have never agreed not to pursue any appeal which may be useful and helpful to find justice for my cases. There is no fact or evidence to show that I agreed to stop any useful and meaningful appeal for my case.

2. The Attorney continues to represent Complaintant in one of the civil rights matters. My comment: Again this statement is not true. In fact, on October 4, 1987, I sent a certified letter (Cert. No. P271947655) to Mr. Linn and asked him to freeze all cases as stated in his certified letter (Cert. No. P530380473) of September 18, 1987. In the same letter, I have told Mr. Linn that if there is anything concerning my cases in his files, please contact Attorney Ronald A. Steinberg. (Please see attached copy.) Also on March 26, 1988 and April 7, 1988, I sent letters (the letter was certified. Cert. No.P796626561) to

Mr. Linn and stated that I would be willing to ask the Michigan Attorney Grievance Commission to halt the grievance process if he could recover all my cases

to the status as stated in his certified letter of September 18, 1987 and also from now on, keep me well informed of the situation of my cases. This request is very reasonable. However, so far I have not received any reply from Mr. Linn for these letters. (Please see attached copies.) From the above-mentioned facts, it is simply not true that the Attorney continues to represent the Complainant. In conclusion, since both reasons which are used by Michigan Attorney Grievance Commission to close my case are not true, therefore, there is no reason that my case should be closed. All essential documents concerning this complaint are attached. Your investigation and justice will be appreciated very much.

Very truly yours,

Chi-Ming Chow

c.c.: Michigan Attorney Grievance Commission

Attorney James E. Linn

STATE OF MICHIGAN

IN THE SUPREME COURT

CHI-MING CHOW

Petitioner,

v

ATTORNEY GRIEVANCE COMMISSION,

Defendant.

_____/

Supreme Court No. 83617

AGC File No. DP 187/88

Related File No. 323/87

ANSWER TO PETITION FOR MANDAMUS

NOW COMES Michael Alan Schwartz, Grievance Administrator, Attorney Grievance Commission, by Martha D. Moore, Associate Counsel, and answers Petitioner's Complaint as follows:

1. The Grievance Administrator admits that Respondent failed to file a timely appeal and eviction matter on Petitioner's behalf; in further answering, the Grievance Administrator states that Respondent prepared a Motion for Leave to Appeal but did not prosecute same based on Petitioner's decision to move from the premises.

2. The Grievance Administrator admits that Respondent failed an appeal in Petitioner's suit against the Michigan Department of Civil Rights; in further answering, Respondent advised Petitioner that the appeal would not be prosecuted in as much as the Michigan Department of Civil Rights was immune from suit.

WHEREFORE, the Grievance Administrator prays the Petitioner's Complaint be dismissed.

Date: Detroit, Michigan

July 15, 1988

Martha D. Moore, P-38904
Associate Counsel
Attorney Grievance Commission
243 W. Congress, Ste. 256
Detroit, MI 48226
313(961-6585)

ORDER

MICHIGAN SUPREME COURT
Lansing, Michigan

Entered: November 30, 1988

Dorothy Comstock Riley
Chief Justice

Charles L. Levin

James H. Brickley

Michael F. Cavanagh

Patricia J. Boyle

Dennis W. Archer

Robert P. Griffin

Associate Justices

83617

CHI-MING CHOW,

Petitioner,

v SC: 83617

ATTORNEY GRIEVANCE COMMISSION, LC: DP 187/88

Respondent.

On order of the Court, the complaint for mandamus is considered, and it is DISMISSED, because the Court does not find an abuse of discretion in the dismissal of the request for investigation.

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of Court.

November 30, 1988 Corbin R. Davis/signature

Mr. Corbin Davis, Clerk
Michigan Supreme Court
525 W. Ottawa St.
Lansing, MI 48909-7552

Chi-Ming Chow
P.O. Box 903
Novi, MI 48050

December 3, 1988

Re: Chow v Attorney Grievance Commission

(Linn), SC no. 83617
LC: DP 187/88

Dear Mr. Davis:

This letter is a motion of reconsideration of my case SC no. 83617, which was dismissed by your Court on November 30, 1988. Seven Copies of this motion are attached. A $25.00 filing fee is also attached. A proof of service is indicated at the end of this letter.

I am asking your Court to reconsider my case for the following reasons:

1. Both Attorney Linn and Michigan Attorney Grievance Commission admitted that attorney Linn failed to inform me about the "Immediate eviction (without a cause)". I have suffered financially, physically and emotionally because of this wrongful eviction without an appeal. Is this result worth a grievance?

2. Attorney Linn accepted my fees, signed contracts to accept my civil rights cases. He

closed them without informing me. I had to hire Attorney Steinberg to find out that Attorney Linn did not even have any records for these cases in his file. Is this result worth for a grievance? Michigan Attorney Grievance Commission has violated the law because it discriminated civil rights law.

3. Your Order of Dismissal has no specific explanation for the reason of your dismissal. A dismissal form used for all cases simply cannot convince the complainant.

4. Your dismissal of my case indicates that there is no equal justice in Supreme Court. It also set a bad precedent for other attorneys to do the wrong things without worrying about being condemned by the Attorney Grievance Commission or Supreme Court. Your reconsideration and justice will be appreciated.

Very truly yours,

Chi-ming Chow

c.c.: Attorney Linn, 407 East Fort, Suite 600, Detroit, Michigan 48226

Michigan Attorney Grievance Commission, Suite

256, 243 West Congress, Detroit, Michigan 48226

Mr. Corbin Davis, Clerk
Michigan Supreme Court
525 W. Ottawa St.
Lansing, MI 48909-7552

Chi-Ming Chow
P.O. Box 903
Novi, MI 48050

December 13, 1989

Re: Reconsideration for Chow v Attorney Grievance Commission (Linn), SC No. 83617; LC: DP 187/88

Dear Mr. Davis:

Please attach the following statement to my motion for reconsideration of my case, SC No. 83617. (7 copies of this letter are also attached.)

I have received the answer of Michigan Attorney Grievance Commission (MAGC) for my motion of reconsideration. I must point out that its 12/9/89 statement is improper and untrue. I would like to make my comments about their statement as follows:

1. MAGC stated: "The Grievance Administrator neither admits nor denies the allegations of paragraph 1..." My comment: MAGC's letter of 5/31/88 stated: "....the Attorney Grievance Commission has determined that there is insufficient evidence of misconduct. Accordingly, this file is closed." This

statement clearly meant that my grievance was denied by the MAGC. Therefore the MAGC's statement is untrue. (Please refer to my file.) 2. MAGC stated: "...the Grievance Administrator states Petitioner has a civil remedy for any damages suffered. My comment: The purpose of a complainant to file a grievance at MAGC is to let it confirm the misconduct of an attorney. If the MAGC has already determined that there is insufficient evidence of misconduct and denies the grievance, then how can the complainant get the civil remedy for damage suffered? The attorney will certainly use the MAGC's statement to protect himself. 3. MAGC stated: "...no reason for the dismissal..." My comment: It is better to give a reason for the dismissal so that the complainant can be convinced or appeal. Civil Rights cases are as important as other cases. They should not be discriminated. They should not be closed without the client's consent. They should be on file for the client's review. 4. MAGC stated: "The Grievance Administrator denies the allegations

of Paragraph 4 as untrue." My comment: If the MAGC's dismissal of my grievance is open to the public, it certainly sets a bad precedent for other attorneys. If MAGC dismissed my grievance without proper reasons, then there is no equal justice for me in this case. Your reconsideration and justice will be appreciated.

Very truly yours,

c.c.: Administrator of MGAC

Attorney Linn

ORDER

MICHIGAN SUPREME COURT
LANSING, MICHIGAN

Entered: February 28, 1989

Dorothy Comstock Riley
Chief Justice

Charles L. Levin

James H. Brickley

Michael F. Cavanagh

Patricia J. Boyle

Dennis W. Archer

Robert P. Griffin

Associate Justices

83617(8)

CHI-MING CHOW,

Petitioner,

v SC: 83617

ATTORNEY GRIEVANCE COMMISSION, AGC: DP 187/88

Respondent.

On order of the Court, the motion for reconsideration of this Court's order of November 30, 1988 is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

I CORBIN R. DAVIS, Clerk of the Michigan

Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of Court.

February 28, 1989 Jacqueline B. Mac Kinison,

Deputy Clerk/signature